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SUBJECT: AMBASSADOR REVIEWS REVISED UNAMI ELECTIONS LAW
PROPOSAL WITH SAMARRA'I

REF: BAGHDAD 2901

Classified By: Political Minister Counselor Gary A. Grappo, for reasons
1.4 b and d.

¶1. (C) Summary: Council of Representatives (COR) Speaker Ayad Samarra'i told the Ambassador on October 28 that he supported the revised election law plan from UNAMI that called for one-year terms for COR representatives elected from Kirkuk in the January 2010 elections. Samarra'i also queried the Ambassador about how much support the new proposal was generating. On October 29 COR leadership decided not to put the election law on the agenda, given opposition signals to the revised UNAMI plan they had picked up from the Arabs and Turkomen. The Ambassador and a range of emboffs have continued October 30-31 to engage with UNAMI and Iraqi political bloc leaders to build consensus towards some version of the UNAMI plan that both Kurds and Arab/Turkomen would find palatable. End Summary.

SPEAKER OK WITH REVISED UNAMI PLAN

¶2. (C) The Ambassador reviewed with Council of Representatives (COR) Speaker Ayad Samarra'i the night of October 28. The Speaker was supportive of the revised UNAMI plan. Elements include: use of 2009 vote list, mention of Kirkuk as a special case, Kirkuki COR members exceptionally elected for only a year after which there would be another election, and a committee established to review and clean up the voter's list in Kirkuk). Samarra'i asked whether some language could be included in the section of the proposal about reviewing the voter list in the upcoming year that would include references to "available documents and records" such as the 1957 census, birth records, and "based on the present internal borders." Mention of those elements would make the proposal more palatable to the Arabs and Turkomen, according to Samarra'i. The Ambassador said he thought such references could probably be worked in as a part of the drafting process as long as the qualifier, "available," was included and the reference was not made a condition, or something along those lines. (COMMENT: We understand that UNAMI does not believe the 1957 census records will be of much use, and is not sure where such records are located. END COMMENT.)

¶3. (C) Samarra'i asked who else had expressed support for the UNAMI proposal. The Ambassador reported that Barzani was on board and that Melkert was shopping it with the Arabs and Turkomen. (COMMENT: We learned later that night that Melkert's meetings did not go well; Kirkuk Arab and Turkmen hardliners opposed the UNAMI proposal. END COMMENT.) Samarra'i also pressed on what would be the basis of the new election one year later, and wanted to know if it would be held regardless of whether, or only if, the 2009 list was found to be faulty (hinting that the Arabs would want the election to be definite).

¶4. (C) The Ambassador noted that some were still discussing quotas as a fallback, but reiterated that this was not a

desirable option at this time. Samarra'i added that it might also be unconstitutional, although he admitted that if all the parties were agreed, the potential constitutional obstacle was not so serious. The Ambassador mentioned that others were leaning toward postponing elections in Kirkuk altogether, but stressed that this was the least desirable option. Samarra'i said the COR could vote on the UNAMI proposal as early as October 29 but admitted he was unsure it would happen.

COMMENT

15. (C) As reported REFTEL, Pol M/C learned the morning of October 29 from Deputy Speaker Attiya that the COR leadership had decided not to put the election law on the agenda, given Qhad decided not to put the election law on the agenda, given opposition by Arabs and Turkomen. He urged more engagement with these representatives, which the Ambassador and POL M/C did throughout the day October 29, although we did not get much traction with the UNAMI proposal. Meanwhile Barzani was quoted (misquoted in translation, as it turns out, for which a retraction was issued by the AP October 30) stating that the Kurds insisted on the "annexation of Kirkuk into Kurdistan." The misquoted comments spun up COR members and no progress was achieved October 29. END COMMENT.
HILL